



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

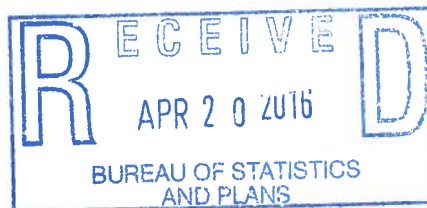
REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

APR 13 2016

Lola Leon Guerrero, Program Manager  
Guam Coastal Management Program  
Guam Bureau of Statistics and Plans  
P.O. Box 2950  
Hagatna, Guam 96932

Dear Ms. Guerrero:



By this letter, the U.S. Environmental Protection Agency ("EPA") provides a consistency determination to the Guam Bureau of Statistics and Plans ("GBSP") pursuant to section 307(c)(1) of the Coastal Zone Management Act ("CZMA"), including implementing regulations at 15 C.F.R. 930.31(d) and 930.36(e). The activity for which EPA has prepared this consistency determination consists of the proposed issuance of a construction general NPDES permit for stormwater discharges from construction activities. The proposed permit would authorize discharges from construction activities in geographic areas where EPA is the permitting authority including four states, Indian country lands in various states and the U.S. Pacific Island territories. A *Federal Register* notice announcing the proposed permit is enclosed, along with a copy of the proposed permit and the fact sheet for the permit.

The public comment period for the proposed permit ends on May 26, 2016. Additional information is available at: <https://www.epa.gov/npdes/stormwater-discharges-construction-activities#cgp2017>. When finalized, the proposed permit would replace the existing permit which was issued in February 2012. The existing permit will expire on February 16, 2017.

EPA has determined that issuance of the permit is consistent to the maximum extent practicable with the enforceable policies of Guam's approved Coastal Zone Management Program for a number of reasons. First, the permit includes numerous technology-based effluent limitations based upon CWA section 304(b)(2). The permit also ensures that discharges will be in compliance with applicable Territorial water quality standards under CWA section 303, and it establishes requirements for permittees to conduct inspections of their construction sites and implement corrective measures when necessary. In addition, because the permit would be issued by the Federal government, it is subject to Territorial water quality certification requirements under CWA section 401. Under CWA Section 401, the Guam EPA has been asked to certify that the permit will comply with Territorial water quality standards and other appropriate requirements of Territorial law, and the final permit, when issued, will incorporate applicable requirements or conditions required by that certification. A detailed discussion of the permit terms and conditions and their underlying basis is set forth in the enclosed permit and the accompanying fact sheet.

In light of the above, pursuant to section 307(c)(1) of the CZMA, EPA has determined that the proposed permit is consistent to the maximum extent practicable with the enforceable policies of Guam's approved Coastal Zone Management Program. EPA requests your review, and if necessary, conditions, based on specific enforceable policies, that would permit the GBSP to concur with EPA's consistency determination.

If you have any questions regarding this matter, please contact Eugene Bromley of the NPDES Permits Section, Water Division at 415-972-3510, or Michael Mann of EPA Region 9's Pacific Islands Office at 415-972-3505. Thank you for your cooperation.

Sincerely,



Eugene Bromley  
NPDES Permits Section

Enclosures

cc: Yvette Cruz, Acting Administrator, Guam Environmental Protection Agency  
Esther Marie G. Taitague, Guam Coastal Management Program